

Richard P. Norton
Ryan A. Becker
HUNTON & WILLIAMS LLP
200 Park Avenue -- 52nd Floor
New York, New York 10166-0005
212 • 309 • 1000

*Attorneys for Defendant
The CIT Group/ Commercial Services, Inc.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
AMCOR, INC.	:
	:
Plaintiff,	:
	:
- against -	:
	:
THE CIT GROUP/ COMMERCIAL	:
SERVICES, INC.	:
	:
Defendant.	:
	:
-----X	

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the accompanying Declarations of Ryan A. Becker and Gerard Imbriano, executed on June 23, 2008, and the exhibits thereto, the accompanying Memorandum of Law, and upon all prior proceedings had herein, Defendant The CIT Group/ Commercial Services, Inc., hereby moves this court before the Honorable Barbara S. Jones, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 1910, New York, New York, 10007, for an Order dismissing, with prejudice, the Complaint in the above-captioned action, pursuant to Fed. R. Civ. P. 12(b)(6), for failure to state a claim upon which

relief can be granted, and awarding costs, disbursements and such other relief as the Court deems just.

Dated: New York, New York
June 23, 2008

Respectfully submitted,

HUNTON & WILLIAMS LLP

By: /s/ Ryan A. Becker
Richard P. Norton
Ryan A. Becker
200 Park Avenue
New York, New York 10166-0005
212 • 309 • 1000
rnorton@hunton.com
rbecker@hunton.com

Attorneys for Defendant
THE CIT GROUP/ COMMERCIAL
SERVICES, INC.

TO: Thomas A. Brown II
Orans Elsen Lupert & Brown LLP
875 Third Avenue, 28th Floor
New York, New York 10022

Attorneys for Plaintiff Amcor Inc.

DECLARATION OF SERVICE

Bradford C. Mulder, hereby declares under penalty of perjury, pursuant to 28 U.S.C.

§ 1746, that:

I am Managing Clerk at the law firm of Hunton & Williams LLP, attorneys for Defendant
The CIT Group/Commercial Services, Inc.

That on June 23, 2008, I served a true copy of the attached Notice of Motion to Dismiss
on Plaintiff's Counsel, at the address listed below, via the Court's Authorized ECF Transmission
Facilities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 23, 2008

/s/ Bradford C. Mulder
Bradford C. Mulder

TO: Thomas A. Brown, II
Orans, Elsen Lupert & Brown LLP
875 Third Avenue, 28th Floor
New York, New York 10020
tbrown@oellaw.com